

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

LUMBERMENS MUTUAL
CASUALTY COMPANY,
Plaintiff

vs

Case No. C-1-02-91
(Hogan, M.J.)

VICTOR CORPORATION,
Defendant

ORDER TO SHOW CAUSE

This matter came before the Court on August 29, 2003 for a Final Pretrial Conference. Plaintiff's out-of-town counsel, Howard L. Lieber, Esq., appeared at the conference and indicated that he intended to act as counsel at the trial of this matter. To date, neither Plaintiff's nor Defendant's trial counsel has filed a motion for permission to appear pro hac vice on behalf of Mr. Lieber.

Pursuant to S.D. Ohio Civ. R. 83.4(c), "[a]ny member in good standing of the bar of the highest court of any state, who is not otherwise eligible to become a member of the bar of this Court, may be permitted to appear as counsel or co-counsel, *upon motion of the trial attorney for any party.*" (Emphasis added). Furthermore, the trial attorney must be "both a permanent member of the bar of this Court in good standing and a member in good standing of the bar of the Supreme Court of Ohio." S.D. Ohio Civ. R. 83.5(a). As such, and until such time as a motion for permission to appear pro hac vice has been filed and subsequently granted by the Court, Mr. Lieber will not be permitted to appear or participate as counsel or co-counsel in this matter. **IT IS THEREFORE ORDERED THAT:** Counsel file a motion for permission to appear pro hac vice with the Court NO LATER THAN September 22, 2003 in the event Mr. Lieber wishes to participate as counsel or co-counsel in this matter.

SO ORDERED.

Date: _____
les/TSH

s/Timothy S. Hogan
Timothy S. Hogan
United States Magistrate Judge